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C O N F I D E N T I A L SECTION 01 OF 03 LAGOS 001220

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STATE FOR AF/W  
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SUBJECT: LAWYER CLAIMS EFCC CHAIRMAN INTENT TO SIDELINE  
POLITICIANS

REF: ABUJA 02181

Classified By: Consul General Brian L. Browne for reasons 1.4(b) and (d).

1. (C) Summary: During a September 10 meeting with the Consul General, Femi Falana, President of the West Africa Bar Association and confidant of Economic and Financial Crimes Commission (EFCC) Chairman Nuhu Ribadu, said Ribadu's lodestar was to sideline as many politicians, particularly presidential hopefuls, as possible prior to the 2007 elections. While allied with President Obasanjo currently, Ribadu was independent-minded and did not blindly follow Obasanjo, Falana claimed. Obasanjo and Ribadu are at odds over Rivers governor Odili, according to Falana. Falana intimated Federal Capital Territory Minister Nasir El Rufai, Ribadu's close friend, was the EFCC chairman's favored presidential candidate. Moving closer to his Yoruba ethnic heartland, Falana depicted Ekiti State Governor Fayose as a murderer and thief. Falana lamented that President Obasanjo had full knowledge of Fayose's misanthropy but had done little to curb it. End summary.

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Insider,s Perch on EFCC Chairman  
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2. (C) Femi Falana, respected human rights attorney and friend of Economic and Financial Crimes Commission (EFCC) Chairman Nuhu Ribadu, provided a glimpse into Ribadu,s motivations and recent actions. While Ribadu is now currently allied with Obasanjo in attacking corrupt members of the political opposition, Ribadu's loyalty to Obasanjo is not unalloyed. First, Ribadu realizes that Obasanjo has sometimes transgressed in the anti-corruption battle. However, Obasanjo is the current president and thus too powerful to confront, stated Falana. Moreover, asserted Falana, Obasanjo was more apt to ferret corruption than any other current leading national figure, with the possible exception of former head of state Buhari. For now, Ribadu is a fellow traveler with Obasanjo but the possibility of them parting ways could not be discarded, Falana offered.

3. (C) Falana claimed Ribadu had a self-appointed mission to keep other members of the political old guard from reaching high office in 2007. First, he wants to contain the rich and powerful vice president, Atiku. Second, his sights are set on former head of state Babangida. This harmonizes with Obasanjo's objectives. Obasanjo and Ribadu have a meeting of the minds identifying whom to oppose, Falana believed. Where they might drift apart is over who should be Obasanjo's successor. Falana claimed that Obasanjo, realizing his dream to remain in office after 2007 will go unrealized, was

leaning toward Rivers Governor Odili. However, Ribadu reportedly has a healthy dossier on Odili's financial missteps. Obasanjo and Ribadu have argued about Odili on several occasions, the lawyer claimed.

14. (C) Falana suggested that Ribadu would like to engineer a wholesale removal of leading presidential contenders to make room for his friend and political ally, Minister of the Federal Territory Nasir El Rufai. Other candidates that Ribadu liked, albeit to a lesser degree, were the governors of Kaduna, Katsina, and Cross River State.

15. (C) In the middle of the conversation, Falana was interrupted by a phone call from Mike Adenuga, the fugitive chairman of Globacom. Adenuga, who fled to London after being detained briefly by the EFCC, pleaded with Falana to ask Ribadu to keep his companies intact and in Adenuga's legal possession. Falana replied that Adenuga had weakened his legal position by fleeing the country, thus making it appear that he had something to hide. In the end, to keep the companies from collapsing and to stave the resultant unemployment of thousands, Falana said he would recommend Ribadu to place Adenuga's assets in receivership.

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Gloom, Death and Politics in Ekiti  
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16. (C) Falana, an unsuccessful Ekiti gubernatorial candidate in 2003, lamented that current governor, Ayo Fayose, has no moral compass. Falana accused Fayose of being directly involved in numerous killings and massive theft from the state's coffers. While the police and State Security Service (SSS) know that many governors have vigilantes working for

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them, Falana said, Fayose is notorious in that he has a full time hit squad under his command. Falana claimed knowledge of an SSS report linking Fayose to numerous murders, including one in which he was physically present.

17. (C) During several public speeches last year, Fayose got swept away by the excitement of the moment to the point of threatening Falana's life as well as that of Obasanjo's personal attorney. Around that time, the feud also began between Fayose and Ayodeji Daramola, the PDP gubernatorial aspirant killed in August. Last year, Daramola was working as a World Bank consultant on projects within the state. Bristling that Daramola was becoming too popular, Fayose let his unhappiness with Daramola become public knowledge, recounted Falana. To douse the tension, Daramola issued a public statement that he harbored no gubernatorial aspirations (A statement that proved to be less than accurate). Fayose continued to badger Daramola. Daramola was moved to Abuja by the Bank as a precaution, but he continued to travel to Ekiti State, recalled Falana. Unsurprisingly, the friction did not abate as Daramola continued to receive threats, even in Abuja, Falana contended. In spite of this, Daramola reversed his earlier public disclaimer by declaring his intention to run for governor. At that point, Daramola placed himself on a collision course with Fayose, declared Falana, who was almost certain that Fayose authored Daramola's death.

18. (C) In a bi-election in a local government in Ekiti earlier this year, Fayose's candidate was not well-favored. Fayose arrived at the polling station with a band of his "political advisors", otherwise known as thugs. Brazenly, they began replacing the ballot boxes in broad daylight. When members of the opposition protested, Fayose commanded several to be beaten and dozens to be jailed for having the insolence to question his authority to direct the electoral result as he saw fit, asserted Falana.

19. (C) In another instance, Fayose allegedly ordered the killing of a popular local government chairman. Having been

warned in advance, the chairman escaped and deployed his own thugs to protect his residence. In the ensuing gunfire, one of Fayose's men was wounded and apprehended, Falana said. The man fingered the government, only to die in the hospital although his wounds were not life-threatening, recalled Falana. Against this backdrop of violence and misconduct, Obasanjo once called Fayose to Aso Villa, maintained Falana. At that meeting, Falana claimed, Obasanjo basically told Fayose to stop threatening his personal lawyer and that Fayose was fortunate he had not killed the popular local government chairman as that might have ignited a political eruption in the state. Escaping with what can only be described as a scolding, Fayose left Abuja emboldened, not chastened. Thus, his skullduggery has continued, Falana lamented.

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Fayose Still Protected by Obasanjo  
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¶10. (C) The EFCC recently focused its gaze on Fayose after disgruntled officials working with Fayose leaked incriminating information about him. Fayose was subsequently caught leaving Nigeria with incriminating documents. Falana observed that Ribadu wants to move forward with the case against Fayose but has to proceed gingerly, given the close links between Fayose and Obasanjo (Note: Since then, the EFCC has presented a report to the Ekiti House of Assembly accusing Fayose of malfeasance. End note).

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Comment  
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¶11. (C) Falana has been a reliable contact in the past, and his portrait of Ribadu seems authentic. At least, Falana believes he painted Ribadu accurately. However, if Ribadu's goal is to see Minister El-Rufai as Nigeria's next president after having attrited the pool of other more visible presidential candidates, his is a risky, unlikely gambit. That Falana, a reknowned human rights lawyer, would befriend Ribadu, seems odd at first blush. Recently, the Nigerian Bar Association has publicly chastised Ribadu for ignoring the rule of law. However, Falana reconciles himself with the EFCC's alleged violations of civil liberties with the belief that corruption is an attack on the economic and social rights of average Nigerians. Falana sees this attack as much

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more inimical than the EFCC's transgressions against a handful of politicians. Many people agree with Falana. Last, the picture he painted of Ekiti politics is bleak. Like the disorder in Anambra State, it shows President Obasanjo's penchant for turning a blind eye to the wrongdoings of those he somehow favors. End comment.  
BROWNE